

February 5, 1996

DOCKET NO. P-405/AR-95-1048

ORDER GRANTING PETITION TO INTERVENE

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Joel Jacobs
Tom Burton
Marshall Johnson
Dee Knaak
Don Storm

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of a Petition by Frontier
Communications of Minnesota, Inc.
Requesting Adoption of an Alternative
Regulation Plan

ISSUE DATE: February 5, 1996

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PROCEDURAL HISTORY

On October 10, 1995, Frontier Communications of Minnesota, Inc. (Frontier or the Company) filed a proposed alternative regulation plan pursuant to Minn. Stat. §§ 237.76 through 237.772.

On October 31, 1995, the Commission issued its NOTICE OF FILING, ORDER ESTABLISHING PROCEDURES, AND ORDER CONVENING SETTLEMENT CONFERENCE in this docket. Among other things, that Order required persons wishing to intervene under Minn. Rules, part 7829.0800, to file their petitions within 20 days of the date of the Order. Order at p. 4.

In the October 31 Order, the Commission also delegated to its Executive Secretary the authority to vary time lines set under the Order. Order at p. 6.

On December 15, 1995, the Minnesota Business Utility Users Council (the MBUUC) filed a request for a variance and a petition to intervene. The MBUUC asked the Executive Secretary to vary the time lines set in the October 31 Order to allow the MBUUC to file a petition to intervene in the proceeding. The MBUUC explained that it was not on the original service list for the October 31 Order, and only recently became aware of the time lines for participation and of certain issues that may have a unique impact on the Council members. The MBUUC stated that it did not believe that its late intervention would delay the proceedings in any way.

The MBUUC's petition to intervene was filed pursuant to Minn. Rules, part 7829.0800. The MBUUC stated that its members, business telecommunications users within the State of Minnesota, could be uniquely impacted by a decision in this proceeding. Because the MBUUC's members have interests which are dissimilar from those of other participants, they cannot be adequately represented by any other party. According to the MBUUC, its comments and views would be of material value to the Commission in its determination. The MBUUC therefore asked to be granted intervenor status under Minn. Rules, part 7829.0800.

The matter came before the Commission on January 4, 1996.

FINDINGS AND CONCLUSIONS

The Commission agrees with the MBUUC that it has shown sufficient grounds to be granted intervenor status under Minn. Rules, part 7829.0800. Because the Commission finds that MBUUC's participation could be helpful to the resolution of these issues, the Commission by its Executive Secretary will vary the deadline established in the October 31 Order for the filing of a petition to intervene. The MBUUC's petition to intervene dated December 15, 1995, is accepted and granted.

ORDER

1. The Commission by its Executive Secretary varies the deadline for submitting a petition to intervene found in the October 31, 1995, Order.
2. The Commission accepts the MBUUC petition dated December 15, 1995, and grants the MBUUC its petition to intervene.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

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